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AUG 23 2007

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In re Application of
Barry N. Kreisworth et al
Serial No.: 09/656,084
Filed: September 6, 2000
Attorney Docket No.: 419124-0002

PETITION DECISION

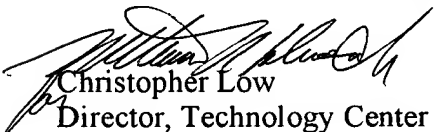
This is in response to the petition under 37 CFR 1.181, filed April 19, 2007, requesting restarting of a period for response based late receipt of an Office action. The delay in acting on this petition is regretted, but it was only recently brought to the undersigned's attention.

A review of the file history shows that the examiner mailed a Final Office action to applicants on February 5, 2007, setting a three month shortened statutory period for reply. Office records show that the Office action mailed February 5, 2007, was returned to the Office as undeliverable on February 12, 2007. Subsequently the Office action was remailed to applicants, but was not received until April 13, 2007. In view of the fact that more than two months of applicants shortened statutory period for reply had elapsed upon receipt, restarting of the period for reply is appropriate.

The petition is **GRANTED**. The shortened statutory period for reply set in the Office action mailed February 5, 2007, is reset to begin as of applicants' receipt date, April 13, 2007, and may be extended under 37 CFR 1.136(a), as appropriate.

The application will be forwarded to the examiner for consideration of the amendment filed June 5, 2007. A Notice of Appeal was also filed August 6, 2007, with a required one month extension of time.

Should there be any questions about this decision please contact William R. Dixon, Jr., by letter addressed to Director, TC 1600, at the address listed above, or by telephone at 571-272-0519 or by facsimile sent to the general Office facsimile number.


Christopher Low
Director, Technology Center 1600 (Acting)